

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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TERRANCE B. HINES,

Plaintiffs,

v.

O.R.C. PENZO, O.R.C. BUTTERFIELD,  
C.C.C.A. RIVERA, and JULIE WOLCOTT,

Defendants.

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SPECIAL  
INTERROGATORIES

6:20-CV-06245 EAW

**Please answer the following questions. The answers given for each question must be unanimous.**

1. Has O.R.C. Penzo proven by a preponderance of the evidence that she reasonably believed she was complying with the law when she failed to call the witnesses requested by the Plaintiff at the Temporary Release Committee hearing?

Yes \_\_\_\_\_

No X \_\_\_\_\_

2. Has O.R.C. Penzo proven by a preponderance of the evidence that she did not act intentionally to violate the Plaintiff's due process rights when she failed to call the witnesses requested by the Plaintiff at the Temporary Release Committee hearing?

Yes \_\_\_\_\_

No X \_\_\_\_\_

3. Has O.R.C. Butterfield proven by a preponderance of the evidence that she reasonably believed she was complying with the law when she agreed with the decision not to call the witnesses requested by the Plaintiff at the Temporary Release Committee hearing?

Yes \_\_\_\_\_

No X

4. Has O.R.C. Butterfield proven by a preponderance of the evidence that she did not act intentionally to violate the Plaintiff's due process rights when she agreed with the decision not to call the witnesses requested by the Plaintiff at the Temporary Release Committee hearing?

Yes \_\_\_\_\_

No X

5. Has C.C.C.A. Rivera proven by a preponderance of the evidence that he reasonably believed he was complying with the law when he agreed with the decision not to call the witnesses requested by the Plaintiff at the Temporary Release Committee hearing?

Yes \_\_\_\_\_

No X

6. Has C.C.C.A. Rivera proven by a preponderance of the evidence that he did not act intentionally to violate the Plaintiff's due process rights when he agreed with the decision not to call the witnesses requested by the Plaintiff at the Temporary Release Committee hearing?

Yes \_\_\_\_\_

No X

*Please proceed to the Signature Page.*

**SIGNATURE PAGE**

Instructions to the Foreperson: Once you have indicated the jury's answers to the questions above and have been directed by the instructions to the signature page, simply sign and date this page in the space provided below. Then inform the court security officer that you have finished deliberating.

By her signature below, the jury foreperson affirms that the above are the answers of the unanimous jury in the case of *Terrance B. Hines v. O.R.C. Penzo, et al.*, 6:20-CV-06245.

**Foreperson Name Redacted**

Dated: September 29<sup>th</sup>, 2023